



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**HONG LIANG et al.**

Serial No. **10/070,560**

Filed: **September 14, 2000**

For: **METHOD OF PRODUCING AND  
PURIFYING ENDOSTATIN PROTEIN**

) Art Unit: **not yet assigned**

) Examiner: **not yet assigned**



**TRANSMITTAL OF EXECUTED DECLARATION  
AND POWER OF ATTORNEY**

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir :

Responsive to the Notice to File Missing Parts mailed on June 12, 2002, Applicants submit the executed Declaration and Power of attorney for inventor Lourdes L. Bermejo. Accompanying this Transmittal is a Petition to Revive for Unintentional Abandonment along with the required fee of \$ 750.00 under 37 C.F.R. 1.17(m) for a small entity.

It is believed that no additional fee is required with this submission. Should an additional fee be required, the Commissioner is hereby authorized to charge deposit account: 11-0855.

---

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on April 25, 2005.

  
Sima Singadia Kulkarni – Reg. No. 43,732

*Transmittal of Executed Declaration and Power of Attorney*

Serial No. 10/070,560

Page 2

## **BACKGROUND**

A Notice to File Missing Parts was received on June 12, 2002 requiring the submission of a sequence listing and executed oaths and declarations for the ten named inventors. A response to the Notice was filed on September 12, 2002 including (a) the sequence listing; (b) executed oaths from nine of the named inventor; and (c) a Petition Under 1.47(a) for one uncooperative inventor. At the time of filing this petition, inventor Lourdes L. Bermejo was uncooperative and attempts to reach her were unsuccessful. A decision on the petition under 1.47(a) was mailed February 4, 2004 dismissing Applicants' petition without prejudice and requiring that any request for reconsideration be made within 2 months from the mailing date of the decision.

Applicants have recently succeeded in contacting inventor Lourdes Bermejo and have obtained an executed oath and declaration (attached herewith). As such, reconsideration of the petition under 1.47(a) is not required.

Applicants also note that in the Decision on Petition mailed February 4, 2004, the office requested clarification on the correct spelling for the names of inventors Zhou and Shepard. For the record, Applicants would like to clarify that the correct spelling of these inventors' names is as follows:

XINHUA ZHOU

SCOT R. SHEPARD

The error in the spelling of their names on the international application and declaration was of a typographical nature and occurred without deceptive intent.

*Transmittal of Executed Declaration and Power of Attorney*

Serial No. 10/070,560

Page 3

### CONCLUSION

Applicants respectfully request that the executed Declaration of Lourdes L. Bermejo be entered into the record and the accompanying Petition to Revive for Unintentional Abandonment be granted.

Respectfully submitted,



Sima Singadia Kulkarni  
Reg. No. 43,732

KILPATRICK STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309-4530  
Tel. (404) 745-2463  
Attorney Docket Number: 05213-0551 (299447)